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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,757	03/29/2001	Kazumasa Yoshikawa	35.C15231	2681

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EXAMINER	
NGUYEN, LUONG TRUNG	
ART UNIT	**PAPER NUMBER**
2612	

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/819,757	YOSHIKAWA ET AL.	
	Examiner	Art Unit	
	LUONG T. NGUYEN	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-37* is/are pending in the application.

4a) Of the above claim(s) *7,8,11 and 18-37* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,9,10 and 12-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *29 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/14/01*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Species I represented by Figures 1-13, which read on claims 1-17 in the reply filed on 1/14/2005 is acknowledged. The traversal is on the ground(s) that "the various species are closely related and would not require fields of search." This is not found persuasive because Species I (Figures 1-13), Species II (Figures 14-18) and Species III (Figures 19-21) are distinct from each other. For example, Species II, Figure 14 and Figure 18 (step 2301-2302) disclose a preset direction change switch 1020. Species I and Species III do not disclose this preset direction change switch 1020 and the operation of this switch. Species I (Figure 1) does not have preset velocity indicator 1021 and preset direction indicator 1022 as shown in Species II (Figure 14) or Species III (Figure 19). Moreover, the Applicants disclose Figure 1, Figure 14 and Figure 19 in different embodiments; the first embodiment discloses Figure 1, the ninth embodiment discloses Figure 14, and the 11th embodiment discloses Figure 19. Therefore, the Examiner still considers that Species I (Figures 1-13), Species II (Figures 14-18) and Species III (Figures 19-21) are distinct from each other.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 18-37 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected Species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on 1/14/2005.

In addition claims 7-8, 11 are withdrawn form consideration by the Examiner because of the following reasons.

Claims 7, 8, 11, recite limitation "said memory means stores preset position information," which read on "memory unit 1205" disclosed in paragraphs [0290], [0292], page 18 and Figure 19 (Species III). Further, Applicants disclosed that the first to eight embodiment, which read on Species I (Figures 1-13), preset velocity information and preset direction information are stored as a preset value in memory unit 20 (paragraphs [0202], [0206], page 12). This indicates that memory unit 20 does not store preset position information. Therefore, claims 7, 8, 11 only read on Species III (Figures 19-21). Species III is a non-elected Species. Therefore, claims 7, 8, 11 are withdrawn form consideration by the Examiner.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 16, lines 2-3 and line 4, both recite limitation "an optical member." It is unclear because it is not known the limitation "an optical member" in lines 2-3 is different or the same to limitation "an optical member" in line 4.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-6, 9-10, 12-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Kaneda (US 6,002,885).

Regarding claim 17, Kaneda discloses a camera system (video camera, figures 1, 3) having a camera on which an optical device (4 lens unit, figure 1, column 1, lines 28-59) is mounted, comprising:

an optical member (4 lens unit, 111, 112, 113, 114, figures 1, 3, column 1, lines 28-59);

memory means (combination of direction data memory 158, velocity data memory 159, and boundary data memory, figure 3, column 2, lines 35-41) for storing preset velocity information about driving of said optical member;

driving means for driving said optical member (element 137, 162, 145, 161, figure 3, column 2, lines 14-60);

operation means (zoom operation circuit 156 and zoom switch 157, figure 3, column 2, lines 33-41) having an operation member (zoom switch 157, figure 3).

control means (CPU 154, figure 3, column 2, line 14 to column 3, line 48) for performing drive control of said driving means, wherein said control means performs preset drive control of said driving means on the basis of the preset velocity information stored in said memory means, and said control means changes the preset velocity information in accordance with an operation of said operation member.

Regarding claim 1, all the limitations of claim 16 are contained in claim 17. Therefore, see Examiner's comments regarding claim 17.

Regarding claim 16, all the limitations of claim 16 are contained in claim 17. Therefore, see Examiner's comments regarding claim 17.

Regarding claim 2, Kaneda discloses the control means sets a change amount of the preset velocity information in accordance with an operation amount of said operation member of said operation means (Figures 2-3, column 2, line 33 to column 25).

Regarding claim 3, Kaneda discloses the control means sets a change amount of the preset velocity information in accordance with an operation amount of said operation member of said operation means and a driving velocity of said optical member in operating said operation member (Figures 2-3, column 2, line 33 to column 25).

Regarding claim 4, Kaneda discloses wherein every time said operation member of said operation means is operated, said control means sets a change amount of the preset velocity information in accordance with a driving velocity of said optical adjust means in the operation regardless of an operation amount (Figures 2-3, column 2, line 33 to column 25).

Regarding claims 5, 6, Kaneda discloses wherein said memory stores preset direction information (direction memory data 158, figure 3, column 2, lines 33-41),

said driving means drives said optical member in two directions (figures 1, 3 show that varieter lens 112 and focus lens 114 can move in two direction, one direction is to the right and one direction is to the left),

said operation member has two operation directions corresponding to the two driving drections of said optical member (zoom switch 157 has two operation directions, one operation is to the telephoto end T, one operation is to the wide-angle end W, figure 3, column 2, lines 35-40),

said control means performs the preset drive control of said driving means to drive said optical member on the basis of the preset velocity information and the preset direction information (figure 3, column 2, line 33 to column 4, line 63),

said control means changes the preset velocity information to a high-velocity side when operation member is operated in one of the two operation directions, and to a low-velocity side when said operation member is operated in the other direction (figure 3, column 2, line 33 to column 4, line 63, and note that when zoom switch is operated in the direction of telephoto end, the velocity is changed to a higher velocity, and when zoom switch is operated in the direction of wide-angle end, the velocity is changed to a slower velocity).

Regarding claim 9, Kaneda discloses said control means stores and holds, in said memory preset velocity information at an end of the preset drive control, and sets the preset velocity information as preset velocity information at a start of next preset drive control (column 2, line 14 to column 3, line 63).

Regarding claim 10, all the limitations are contained in claims 5 and 9. Therefore, see Examiner's comments regarding claims 5 and 9.

Regarding claim 12, Kaneda discloses a zoom lens optical system (varieter lens unit 112, figures 1, 3, column 1, lines 30-35).

Regarding claim 13, Kaneda discloses said operation means generates command information for driving said optical member in accordance with the operation of said operation member (figure 3, column 2, line 14 to column 3, line 63), when said control means does not performs the preset drive control, said control means performs drive control of said driving means to drive said optical member on the basis of the command information from said operation means (figure 3, column 2, line 14 to column 3, line 63).

Regarding claim 14, see Examiner's comments regarding claim 13, except for the limitation "storage designation operation means operated to store the preset velocity information in said memory means," which is inherently included in the velocity data memory 159, Kaneda, figure 3, column 2, lines 33-41.

Regarding claim 15, Kaneda discloses preset driving start operation means operated to generate preset drive control start command information (inherently included in direction data memory 158, figure 3, column 2, lines 33-41), and said control means starts the preset drive control of said driving means on the basis of the preset velocity information stored in said

memory in accordance with an operation of said preset driving start operation means (figure 3, column 2, line 14 to column 3, line 63).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sasaki (US 6,052,537) discloses camera lens driving apparatus.

Kanayama et al. (US 6,292,313) discloses lens drive unit.

Mizumura (US 6,526,232) discloses lens control unit.

Yoshikawa et al. (US 6,633,729) discloses optical apparatus, optical apparatus driving unit and camera system.

Kawamura et al. (US 6,721,012) discloses lens unit of TV camera.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUONG T. NGUYEN whose telephone number is (571) 272-7315. The examiner can normally be reached on 7:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NGOCYEN VU can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LN
01/08/06

Luong Nguyen

LUONG T. NGUYEN
PATENT EXAMINER